

TPs

404 Assumption:

- MI – State Senate has passed bills, SB 0652 and 0653, which would amend rulemaking and permit appeal statutes affecting state programs including EPA approved CWA sections 402 and 404; delegated air programs and impact MI's efforts to take on the UIC program. Changes would require EPA approval to ensure consistency with the CWA and other requirements prior to being part of an approved program. Concerns include the proposed changes place a number of functions outside the approved implementing agency and limit access to appeals processes.
- FL - R4, FDEP and Jacksonville district are meeting concerning FL's efforts to assume. Unclear what Jacksonville will say regarding retained waters. FDEP and some constituents want EPA to conduct section 7 FSA consultation on state 404 permits which we review (have not waived review).

Ex. 5 Deliberative Process (DP)

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Proposed Congressional Modification of 301(h) To Exempt San Diego's WWTP:

- Rep. Scott Peter's (CA) office has requested Technical Assistance from EPA on a draft bill pertaining to the Point Loma wastewater treatment plant.
- The city has been getting a 301(h) waiver every 5 years and is trying to get a permanent waiver via this legislation while concurrently planning for/building a new plant (Pure Water, financed in part through WIFIA loans).
- OCMB is coordinating a review of the proposed bill that would amend two sections of the CWA by OWM, Region 9, OST and OGC. A call is being scheduled by Elizabeth Skane with the congressional staffer for Wednesday of next week, to discuss the written comments.

SHOUT OUTS

- On Friday, January 26, EPA announced that it would not withdraw at this time the July 2014 Clean Water Act Section 404(c) Proposed Determination to restrict the use of certain waters as disposal sites for dredged or fill material associated with the Pebble deposit, a copper-, gold-, and molybdenum-bearing ore body in the Bristol Bay watershed of southwest Alaska. In developing recommendations for the Administrator and Region 10 Regional Administrator, the Bristol Bay team reviewed more than one million comments from the public, as well as input resulting from tribal consultations and ANCSA Corporation consultations. Congratulations to the talented team of many! A special call out goes to those that have been integrally involved in leading these efforts through to full fruition. From HQs: Palmer Hough and Brittany Bennett (OWOW), Heidi Nalven (OGC), Karen Gude (OW), and Derek Threet (OECA). From Region 10: Ashley Palomaki (ORC), Marla Smith (AOO), Andi Lindsay (RAD), Marianne Holsman (PAD), Suzanne Skadowski (RAD), Patty McGrath (IOO), Tami Fordham (AOO), Hanh Shaw (OERA), Erik Peterson (OERA), Annie Whitley (OERA). Additional contract support was provided by Michael Winkelhorst.
- Recently, OWOW/OWCD announced the new membership on the EPA Chief Scientist Certifying Board: Jeannie Brochi (R1), Renee Searfoss (R3), Gary Collins (R4), Mel Parsons (R4), and Dave Redford (OWOW). Special thanks to the outgoing Board—Dave Redford (OWOW), Mel Parsons (R4), Chris McArthur (R4), and Jessica Franks (R6, retired)—for their service for the last few years. The Board reviews applications from EPA staff seeking to become a Candidate Chief

Scientist, reviews Chief Scientist Certification Packages, and recommends Candidate Chief Scientists, who have successfully fulfilled the program requirements, to the OWCD Director for certification as Chief Scientists. The EPA Chief Scientist Program, administered by OWOW/OWCD, ensures consistency in the application of EPA scientific and safety standards to ocean surveys, including monitoring surveys of ocean disposal sites under the Marine Protection, Research and Sanctuaries Act. The work of EPA Chief Scientists is crucial to the success of EPA's Ocean Dumping Management Program and mission to protect human health and the environment. In order to become a Chief Scientist, qualified EPA scientists must undergo extensive on-the-job training that prepare them to plan, conduct, and report oceanographic monitoring surveys. Congratulations go to **Cheryl Zulick (OWOW)** and **Brent Richmond (R10)**, who recently were accepted into the Chief Scientists training program.

- On January 31, EPA and the Army finalized a rule to add an applicability date to the 2015 Clean Water Rule. The **Waters of the US (WOTUS) Team** sprang into action to expediting the promulgation of the final rule following the Supreme Court decision on January 22 ruling that the circuit courts do not have original jurisdiction to review the 2015 Rule. It was necessary to take swift action since the nationwide stay of the 2015 Rule could be lifted under these circumstances. The Team responded by accelerating the pace for completing the review of comments, response to comments, preamble and regulatory text, and stood up other parts of the record and docket. The Team is especially indebted to the EPA and Army & Army Corps attorneys who carried a big portion of the load: **Carrie Wehling (OGC), Karyn Wendelowski (OGC), Simma Kupchan (OGC), Elise O'Dea (OGC), Alexis Wade (OGC), Erin Flannery-Keith (OGC), Steve Neugeboren (OGC), David Cooper (Army Corps), Dan Inkelas (Army Corps), Milt Boyd (Army Corps), Craig Schmauder (Army), Robert Davenport (Army), and Nathan Menard (Army)**. The balance of the Shout Out goes to the rest of the hard-working and dedicated WOTUS Team and many others who stepped in to help who are too numerous to name: **Damaris Christensen (OWOW), Mindy Eisenberg (OWOW), Michael McDavit (OWOW), Donna Downing (OWOW), Dolores Wesson (OWOW), Rose Kwok (OWOW), Ruth Chemerys(OWOW), John Goodin (OWOW), Cindy Barger (Army), Melinda Witgenstein (Army Corps), Andrea Drinkard (OW), Allison Dennis (OW), Julie Hewitt (OST), Todd Doley (OST), Matt Massey (OP), Jennifer Moyer (Army Corps), Andrew Cherry (OECA), Troy Swackhammer (OLEM), Sandy Evalenko (OW), and Brittany Bennett (OWOW)**.